

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION**

VEROBLUE FARMS USA INC.,	§	
Plaintiff,	§	
	§	
v.	§	CIVIL ACTION No. 3:19-cv-00764-L
	§	
LESLIE A. WULF, BRUCE A. HALL, JAMES	§	
REA, JOHN REA, and KEITH DRIVER	§	
Defendants/Counterplaintiffs.	§	

**THIRD-PARTY DEFENDANT NORMAN MCCOWAN’S UNOPPOSED MOTION
TO EXTEND DEADLINE TO REPLY TO THIRD-PARTY PLAINTIFFS’ RESPONSES
TO MCCOWAN’S MOTIONS TO DISMISS**

Third-Party Defendant Norman McCowan (“McCowan”) moves to extend the time to file his replies to (1) *Defendants/Third-Party Plaintiffs’ Response and Brief in Opposition to Third-Party Defendant Norman McCowan’s Motion Rule 12(b)(6) Motion to Dismiss the Third Party Complaint* [Dkt. 126]; and (2) *Third-Party Plaintiffs’ Response and Brief in Opposition to Third-Party Defendant Norman McCowan’s Motion to Dismiss Third-Party Claims Pursuant to the Texas Citizens’ Participation Act* [Dkt. 127] (collectively, the “**Responses**”), currently due on July 17, 2019. McCowan seeks a two-day extension of his current deadline to reply to the Responses from July 17, 2019 to July 19, 2019.

1. Defendants Leslie Wulf, Bruce Hall, James Rea, and John (Ted) Rea (collectively, the “**Third-Party Plaintiffs**”) filed their Answer and Affirmative Defenses to the Amended Complaint and Third-Party Claims [Dkt. 66]. In this same pleading, the Third-Party Plaintiffs included a Third-Party Complaint asserting claims against seven new parties to the case, including Norman McCowan.

2. On May 31, 2019, McCowan filed a Rule 12(b)(6) Motion to Dismiss the Third-Party Claims [Dkt. 113], and on June 1, 2019, McCowan filed a Motion to Dismiss the Third-Party Claims Pursuant to the Texas Citizen's Participation Act [Dkt. 127] (collectively, the "**Motions to Dismiss**").

3. McCowan agreed to an extension of the Third-Party Plaintiffs' deadline to respond to his Motions to Dismiss from June 21, 2019 and June 24, 2019, to July 3, 2019. Third-Party Plaintiffs filed an Agreed Motion to Extend Deadline to File Response to Third Party Defendant Norman McCowan's Motions to Dismiss [Dkt. 115] (the "**Agreed Motion**"). On June 13, 2019, this Court granted Third-Party Plaintiffs' Agreed Motion and extended their response deadline to July 3, 2019.

4. On July 3, 2019, Third-Party Plaintiffs filed their Responses to both of McCowan's Motions to Dismiss [Dkt. Nos. 126, 127].

5. Pursuant to Local Civil Rule 7.1, McCowan's current deadline to file replies to the Responses is July 17, 2019.

6. On July 15, 2019, McCowan and the Third-Party Plaintiffs agreed to a brief two-day extension of his July 17, 2019 deadline for McCowan to file his replies. Accordingly, McCowan requests that the Court enter an order extending the deadline for him to file replies to the Responses to July 19, 2019, consistent with the Parties' agreement.

7. The Third-Party Plaintiffs do not oppose the relief requested in this Motion.

8. McCowan does not submit this motion solely for purposes of delay, but so justice may be done.

For these reasons, McCowan respectfully requests this Court extend his deadline to reply to the Responses from July 17, 2019 to July 19, 2019, and any further relief to which he may be entitled.

Dated: July 15, 2019

Respectfully submitted,

/s/ Nicole Williams

Nicole Williams
Texas Bar No. 24041784
nicole.williams@tklaw.com

William L. Banowsky
Texas Bar No. 01697125
bill.banowsky@tklaw.com

Jasmine S. Wynton
Texas Bar No. 24090481
jasmine.wynton@tklaw.com

THOMPSON & KNIGHT LLP
One Arts Plaza
1722 Routh Street, Suite 1500
Dallas, Texas 75201
(214) 969-1700
(214) 969-1751 (facsimile)

**ATTORNEYS FOR PLAINTIFF,
VEROBLUE FARMS USA INC.**

CERTIFICATE OF CONFERENCE

In accordance with LR 7.1(a), on July 15, 2019, Norman McCowan's counsel contacted counsel for the Third-Party Plaintiffs concerning the relief sought in this Motion, and Third-Party Plaintiffs are unopposed to the relief sought in this Motion.

/s/ Nicole Williams

Nicole Williams

CERTIFICATE OF SERVICE

This document was filed electronically on July 15, 2019, and, in compliance with Local Civil Rule LR 5.1(d), a copy of this document has been served on all counsel of record.

/s/ Jasmine Wynton

Jasmine Wynton